

THE HIGHLAND COUNCIL
PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE
13th AUGUST 2008

Agenda Item	
Report No	

CORE PATH PLAN – LOCHABER

Report by Director of Planning and Development

SUMMARY

The report introduces Core Path Plans generally and the Core Path Plan for Lochaber specifically. It describes the consultation processes adopted and the Core Paths fit with Council priorities for action.

Committee is asked to consider and approve the Core Path Plan for submission to the Scottish Ministers.

The Core Path Plan and the consultation processes adopted in drafting it contribute towards the achievement of a number of the Council's priorities for action, including:

- Health improvement in the Highlands
- Encouraging “walk to school” pathways and safe cycle tracks
- Increasing the standard of living in the Highlands
- Adopting national standards of community engagement

1. Introduction and background

1.1 Part 1 of the Land Reform (Scotland) Act 2003 makes it the duty of local authorities (access authorities) to draw up a plan for a system of paths sufficient for the purpose of giving the public reasonable access throughout their area and to publicise the Scottish Outdoor Access Code.

1.2 The Land Reform Act also requires local authorities to establish at least one Local Access Forum (LAF) for their area. Highland has established six LAFs in Caithness; Sutherland; Ross and Cromarty; Skye and Lochalsh; Lochaber; and Inverness, Nairn, Badenoch and Strathspey.

1.3 LAF's are charged with the following main duties:

- Advising local authorities and others, consulting them on matters to do with the exercise of access rights
- Offering to and assisting with disputes about the exercise of access rights, the existence and delineation of rights of way, the drawing up and adoption of core path plans and the use of core paths.

- 1.4 Highland Council has the power to appoint at least one elected member to the Lochaber LAF. Following the election in May 2007 there have been two elected members on the LAF. The Council recently agreed to extend the life of current LAFs until Ministers authorise the adoption of Core Path Plans.
- 1.5 There are a number of other duties established for local authorities by the Act, including:
- Upholding access rights
 - Publicising core path plans
 - Reviewing core path plans
 - Review of byelaws providing public access to land

2. The Core Path Plan – Lochaber

- 2.1 The term “core path” was introduced in the Land Reform (Scotland) Act. 2003. It has been adopted to designate key paths in the access authority’s core path plan and will in due course appear on Ordnance Survey maps as dashed purple lines. Core paths will be catalogued, mapped and displayed by access authorities and will be signposted to encourage people to feel more confident in using them.
- 2.2 The Highland Council has developed 10 criteria and reasons why a path might be considered as a potential core path. These criteria, listed below, have been adapted from the Land Reform (Scotland) Act 2003 and guidance received from Ministers, SNH and the Paths for All Partnership. The more criteria a path meets the more likely it is to be considered a potential core path. Criteria are:
- Linking settlements
 - Access to places of interest
 - Community demand
 - Multi-use potential
 - Access to facilities
 - Assist Land Management
 - Safe and fit for purpose
 - Consistent with Access Strategy
 - Close to where people live
 - Links and supports wider (path) networks

3. Consultations undertaken

- 3.1 Throughout the development of the draft Core Path Plan, consultation processes have sought to apply the principles contained within Planning Advice Note (PAN) 81: Community Engagement Planning With People. Consultation processes have therefore also recognised the Council’s commitment to adopting national standards of community engagement.
- 3.2 Two rounds of informal consultation took place in preparing the draft Core Path Plan.

- 3.3 During April 2006, postal questionnaires were sent out to all households in the area along with the Local Plan newsletter. A stakeholder workshop was also held in Fort William in conjunction with the Local Plan public meeting. Approximately 600 contributions were gathered at this stage 1 consultation. These contributions and the advice of the Lochaber LAF informed the consultative draft core path plan, which was the subject of stage 2 public consultations.
- 3.4 Stage 2 consultations took place during August 2007, when 13 drop-in events were held around Lochaber. At this stage draft plans were made available at libraries, Service Points and in post offices. Contributions received and the advice of the LAF informed the preparation of the Draft Core Path Plan, which was approved for the twelve week 'statutory' formal consultation phase by Committee in November 2007.
- 3.5 The 'statutory' consultation phase on the draft Core Path Plan for Lochaber has recently concluded. The formal consultation report is attached at Annex 1 for information. In all, 35 responses were received. Of the 35 responses, 9 registered an objection and 26 made general comments. Following negotiations with land managers and recommendations of the LAF 4 objections remain outstanding. Once again, the responses received, and the advice of the LAF has informed the Plan now before Committee.

4. Progressing the Core Path Plan

- 4.1 The Lochaber Core Path Plan has been made available to Committee Members and is available on the Council's website at:
<http://www.highland.gov.uk/leisureandtourism/what-to-see/countrysideaccess/corepathplans.htm>
- 4.2 Members at the Lochaber Wards level have already had the opportunity to consider and comment on the Plan. This Committee is now asked to consider and approve the Core Path Plan for Lochaber for submission to the Scottish Ministers.

5. Public Local Inquiry

- 5.1 Section 18 (2) – (7) of Part 1, Land Reform Scotland Act 2003 deals with objections to Core Path Plans. Generally, if a valid objection is made and not withdrawn, local authorities shall not adopt the plan unless Ministers direct them to do so. Where a valid objection remains and is not withdrawn, Ministers shall not make such a direction without first causing a local inquiry to be held into the "sufficiency" of the Core Path Plan.
- 5.2 To be valid, an objection must:
- have been submitted in writing within the due time period, and;
 - require a change to the core path plan

At the time of writing, there are four valid objections outstanding. Details of these and the Council's response are contained within Annex 1.

5.3 The Core Path Plan for Lochaber may therefore be the subject of Public Local Inquiry (PLI), probably by written representation if these objections are deemed to be competent but that is a matter for Scottish Ministers and the Scottish Reporter's Unit. Following a PLI Ministers will determine whether the Core Path Plan may be adopted, with or without alterations.

5.4 Following adoption, it will be the access authority's responsibility to manage the information about the paths identified as core paths.

6. Resource Implications

6.1 There are no new resource implications linked to moving to the next stage toward adoption of the draft Core Path Plan for Lochaber. There may be implications for the Council linked to a potential PLI and future management and maintenance of core paths. These will be the subject of a separate report when appropriate.

RECOMMENDATION

That the Committee consider and approve the Core Path Plan Lochaber for submission to the Scottish Ministers.

Signature:

Designation: Director of Planning and Development

Date: 5 August 2008

Author: G. Hamilton: Countryside, Heritage and Natural Resources Manager
(Ext 2568)

Ref:

Background Papers:

1. Core Path Plan – Consultative Draft – Lochaber, November 2007

2. Part 1 Land Reform (Scotland) Act 2003 – Guidance for Local Authorities and National Park Authorities – Scottish Executive

3. Local Access Forums: A guide to good practice, 2nd Edition – Scottish Natural Heritage/Paths for All Partnership.

**Draft Core Paths
Plan (Lochaber):
Representations**

Annex 1

Number	Map	Respondee	Valid Objection to the plan.		Requires change to plan		Summary of Comments	Response
			Yes	No	Yes	No		
1		Historic Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH		X		X	Welcomes the opportunities for greater accessibility to cultural heritage sites. Advise that any works to create or improve paths through scheduled monuments will require consent. Care required that any signage does not impact on the setting of historical sites.	Noted and acknowledged by letter.
2		SEPA Dingwall Office, Fodderty Way, Dingwall, IV15 9XB		X		X	Welcomes possible increase in sustainable transportation in the form of walking & cycling. Any works that could result in pollution HC to contact SEPA office for advice and guidance and clarification whether there are any licensing requirements.	Noted and acknowledged by letter.
3		TECS, Carr's Corner, Fort William, PH33 6TL		X		X	Where CP's are on public roads (e.g. B8007 to Kilchoan Pier) warning signage required. Recommends consultation with TECS Project Design Team & Road Safety Officer.	Further consultation carried out by phone/e-mail and noted.
4	14;1 6	Mr Baker, Gleann Leac na Muidhe, Glencoe PH49 4LA		X		X	Raises issues that WAN Route into Gleann Leac na Muidhe compromises the privacy of residents in his property	WAN routes are included in the draft plan for illustrative purposes only, have no status beyond the development of the plan and will not appear on the approved Core Paths Plan. The access issue has been investigated by AO and considered by LAF separately. Mr Baker kept informed by letters dated 27 March and 16 June 2008.
5	8	David Nixon 16 Maple Ave., Dumbarton G82 5HT		X		X	Raises concern about bulldozed track on WAN and RoW at Callop.	The track is to facilitate the development of a Hydro scheme and will not restrict access on RoW. Mr Nixon notified by email dated 1 Feb 2008..
6	4	Mrs F Coates, Sunisleter, Arisaig, Invernesshire.		X		X	Request information on the possibility of getting the private vehicle track to Sunisleter upgraded from WAN to CP.	Track was identified in the consultation but did not score sufficiently high against the criteria. Mrs Coates advised by letter.
7	19	JW Gough, The Old Railway Station, Duror, Appin, Argyll PA38 4BW		X		X	Representation on behalf of 6 households that they have no walkway/cycleway to link to the neighbouring village of Duror.	Aspirational route. Government guidance is not to include these in CPP where there is no commitment for path to be in place by Feb 2010. Mr Gough advised by letter. Matter drawn to the attention of Local Plan team. Mr Gough also advised he may want to raise the safety concerns on trunk road with Transport Scotland.
8	7;11; 12; 13;1 4;15.	James Weir, Secy Inverlochty & Torlundy Community Council, Birchfield, Torlundy Fort William PH33 6SW.		X		X	1. Anomaly that not all sections of WHW are CP's.	Some sections do not score sufficiently high against the criteria to be CP's. Both the Argyll and Lochaber LAF's agree with this approach.
				X		X	2. Anomaly that not all sections of GGW are CP's.	Some sections do not score sufficiently high against the criteria to be CP's. Lochaber LAF agrees with this approach.
				X		X	3. Draws attention to flooding of section of GGW CP 407.05c beside Inverlochty. Also expresses concern that bridges on this section are not very robust.	GGW Manager is aware of this problem and is proposing signing alternative route for flood conditions. More robust bridges have been designed and to be installed as funding is sourced.
				X		X	4. Suggests short circular walk at Cia-Aig Falls be identified as CP.	Track shown on plan as WAN as does not score sufficiently high against the criteria.

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			Yes	No	Yes	No		
				X	X		5. Questions why WAN route from Lochiel Road to A82 should not be CP.	This route is shown on the draft plan as WAN because of concerns at the time on the condition of a footbridge over the railway. However Alcan have recently carried out repairs to the bridge and LAF have recommended this be put forward as a candidate CP. Views on this from Alcan are in the process of being sought. Also in negotiations with Network Rail on their objection. Recommend this is added as CP. Mr Weir advised by letter on the above.
9	9	I Walker, Kilmallie Community Council, Corriebeg, Kinlochiel, Fort William PH33 7NP		X		X	1. Comments ill thought out document which is of no help.	Noted.
				X		X	2. Questions why Ben Nevis not CP.	Track was identified in the consultation but did not score sufficiently high against the criteria. If it were to be included would be inconsistent with other Highland CPP's.
				X		X	3. 407.09 is only pleasant dog walk	Scores sufficiently highly to be candidate core path.
				X		X	4. No attempt to show link from Corpach to Glenfinnan	Complete route is aspirational at this stage.
				X		X	5. FCS roads are working tracks	Core paths can be closed temporarily on H&S grounds during forestry operations.
				X		X	6. Apparently only limited funding.	Comment noted. Mr Walker advised by letter on all the above
10		Mrs Margaret Sinclair, Achindarroch Farm, Duror, Appin, Argyll, PA38 4BS.		X	X		Three representations on developing routes that traverse the Lochaber boundary with Argyll & Bute. Suggests Corran Ferry be part of the Core Path Network.	Government guidance is is not to include routes in CPP where there is no commitment for path to be in place by Feb 2010. Only existing tracks that meet the criteria are candidate CP's. LAF at meeting on 21 Feb 2008 recommend the addition of the track from the end of Glen Etive road to the Argyll boundary. Corran Ferry manager advises that horses not liable to be spooked by other users can use the ferry. Mrs Sinclair advised of all this by letter 8 July 2008.
11		Duncan Gibson, Glenfinnan House, Glenfinnan PH37 4LT		X		X	Path from Glenfinnan House to Pier should be considered for re-doing as present path gets washed out loch is high.	Path presently shown as WAN due to the recurring damage. Alternative line above the flooded area difficult due to existing house and garden. No further action in meantime. Mr Gibson advised by letter 8 July 2008.
12	8	John Barnes, Curator/Manager, Glenfinnan station Museum trust, Glenfinnan PH37 4LT.		X	X		Recommends path from Museum to viaduct be upgraded from WAN to CP.	LAF support being CP provided constructed by 2010. Planning permission granted 15 July 2008 with condition that in consultation with AO the path design is approved in writing. Mr Barnes contacted by letter & email. If funding is in place to complete by Feb 2010 the recommendation is to add this as a CP.
13	6	Knoydart Foundation Ranger Service, Inverie, Knoydart, By Mallaig.		X		X	Kinloch Hourn to Inverie should be Core path.	Route does not score sufficiently high against the criteria to be CP. Lochaber and Skye & Lochalsh LAF's agree this should be WAN.
				X	X		415.04a should be circular route.	Tommy McManmon (Ranger) is committed to developing a link above Inverie River Estuary in 2008. Recommend additional section as circular core path.

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			Yes	No	Yes	No		
				X	X		Route over Mam Suidheig is not a defined route.	Noted and removed WAN route from draft plan. Ranger service advised of all above by telephone and email.
14	16	Forestry Commission Scotland, Lorne Forest District, Oban.		X	X		Label for 409.01c on Map 16 on wrong path.	Corrected 3 July 2008.
	16			X	X		409.07b Glencoe VC to Am Meall. New forest track being constructed in stages over several years and will not be completed by Feb 2010. As a result asks that the last paragraph of text for Map 16 be removed.	Map altered to show core path only to the section programmed for 2009 with old route to summit of Am Meall as WAN. The latter has very steep sections and is rough and muddy on the surface. FCS have not budgeted for any maintenance hence WAN. Future revisions of the CPP to include new route. Last paragraph removed.
	19			X	X		Suggests changes to WAN routes onto Beinn a Bheithir.	After consultation with local LAF rep map altered.
	20			X	X		Section of CP 416.18 unsuitable and no longer promoted by FCS. Gaelic name of path rather than English now used in all FCS promotional material.	This short loop at end of circuit removed as unsuitable as core path. This does not detract from the visitors experience of visiting the cleared township. Aoineadh Mor (rather than Inniemore) to be used in CP text.
15	17	PJ Heron, New House, Onich, Fort William PH33 6SP		X		X	Recommends additional routes in Onich area.	Sections of these routes are already shown as CP's and WAN. The additional sections are deemed to be WAN. No changes required. Mr Heron advised by letter 4 July 2008.
16		Jack Hunt, Sustrans manager, Glenorchy House, 20 Union Street, Edinburgh EH1 3LR.		X	X		Draws attention to incorrect alignment of Sustrans route at Ballachulish.	Map corrected.
				X		X	Recommends more use of public roads and the inclusion of aspirational routes.	Where relevant routes are shown as Links on Roads. No perceived advantages in adding remote public roads to plan as these are readily identifiable for cycling use. Government guidance on aspirational routes is not to include these in CPP where there is no commitment for path to be in place by Feb 2010.
				X		X	Comments on need for Plan to show routes on both sides of the boundary with Cairngorm National Park.	HC have consulted with CNPA and where appropriate cross boundary routes do interconnect. Changes not necessary to plan however acknowledge the need on all promotional material to show core paths on both sides of the boundary. Mr Hunt advised on above by letter dated 3 July 2008.
17	4	Mr & Mrs J Benfield, Rhue House, Arisaig, Inverness-shire PH39 4NU.		X		X	Comments that WAN route to Port Nam Murrach shown on plan should be used on all Highland Council literature and request a revision to the Walks around Mallaig, Morar and Arisaig leaflet when it is reprinted.	The Benfields advised by letter dated 4 July 2008 that WAN routes are included for illustrative purposes only and have no status beyond the development of the plan. Comments on booklet passed to Coastal Ranger's attention.
18	5	DA MacLellan, 8 Glenurquhart Road, Inverness IV3 5NU.		X		X	Highlights route 418.07a Bourblach Beach as unsuitable for multi-use due to large boggy areas and rocky, steep terrain	LAF considered this representation at their meeting on 21 Feb 2008 and recommend this is a suitable core path. Mr MacLellan advised by letter. Recommend no change.
19	20	Angus Robertson, Factor, Ardtornish Estate, Morvern, Oban PA34 5UZ		X	X		Comments that a WAN route be removed as a defined path does not exist and that it is in a "dangerous cliffy sort of place." Recommends for consideration an additional route at Loch Arienas.	LAF on 21 Feb 2008 recommend WAN route to waterfall removed from plan. Loch Arienas route to be checked out as possible core path. Mr Robertson advised by letter.

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20	5	Provost Allan Henderson, "The Gantocks," Achintore Road, Fort William		X		X	Draws attention to the fact that aquarium in Mallaig and the Glas na Cardaich Hotel no longer exist.	Information is on base map and Ordnance Survey notified of the changes and acknowledged these will be incorporated into reprints.
21	12	Eliz J Loudon, "Molendinar," Argyll Road, Fort William		X		X	Gate on 407.01j Cow Hill Circuit requires repair.	All Project Officer has repaired gate. Mrs Loudon advised by letter.
22	10	Mr C .J. Tatham, "Achaneich," Spean Bridge, Inverness-shire PH34 4EU.		X		X	Asks why there is no mention of a footpath beside the A86 linking Spean Bridge and Inverroy.	This aspirational route identified at informal stage but Government guidance is not to include these in CPP where there is no commitment for path to be in place by Feb 2010. Mr Tatham advised by letter to convey any road safety concerns on A86(T) to Transport Scotland.
23		Kristin Scott, Area Manager, The Governor's House, The Parade, Fort William PH33 6BA		X		X	Expresses support for good strategic planning document that facilitates managing access at local level. SNH will support future path development linking some of the path systems together and creating more strategic paths.	Noted.
				X		X	Need to ensure that no construction or maintenance works will be undertaken if they could affect Natura sites unless access authority has first ascertained that proposals will not adversely affect the integrity of any site.	Noted.
				X		X	Consideration required of European Protected Species (e.g., bats, otters) during planning stage of any works.	Noted.
				X	X		Recommend reference is made in the Plan to the Scottish Biodiversity List and to the aims and objectives of the Scottish Biodiversity Strategy.	Noted.
				X	X		Acknowledges consultation has been as inclusive as possible given the large geographic area and dispersed settlements. Suggests some information how feedback from different user types has been fed into the plan.	Noted.
				X		X	SNH reserves the right for a separate response on sufficiency once they have received plans for the whole HC area.	Noted.
24		Susan Davies, Director Operations North, SNH, Great Glen House, Leachkin Road, Inverness IV3 8NW.		X		X	Advice is that further consideration should be given to improve sufficiency in terms of connectivity and geographic coverage. Candidate core paths often appear isolated and disjointed and thus do not always form meaningful loops and networks.	Further consideration will be given to connectivity and coverage at the next review. The plans do tend to reflect the nature of the Highlands and the consultation responses received. Advice on using quiet roads to improve connectivity would seem to contradict advice received from the Hub about their suitability.

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				X		X	Identify a paucity of core paths in sparsely populated central areas	We agree that there are few core paths in sparsely populated areas. There is an expectation that core paths be around settlements and in response to community demand and consultation. To traverse remote areas safely access takers require to be suitably equipped and experienced. There are natural hazards to consider such as rivers that rise rapidly over very short periods making routes impassable. Getting up to date information and passing this onto the public is not thought to be achievable.
				X		X	Scope to identify more core paths in and around expanding urban areas.	Aspirational core paths have been identified in such areas. However because they will not be developed in under 2 years Government advice is that they should not appear on core paths plans. Details of these aspirational routes will be retained and can be called on in future revisions of the Plan.
				X	X		While aware that a large amount of information was gathered during consultation it would be helpful to demonstrate that the plan meets the needs of all kinds of users.	In response to a similar request by SNH at the consultative stage and Core Paths Plans - Guidance Note 2 [The Hub] the Draft Core Path Plan has identified surface types and lengths to give an indication of path suitability. We are also in the process of taking a closer look at the routes to identify barriers to certain types of access. Close engagement with different users has been a useful indicator of whether or not we have met different needs.
				X		X	Core Path plans cannot be adopted until the Environmental Report has been considered.	If SEA necessary this should have been done prior to including the requirement for CPP's in the LR(S)A 2003. Plans do not represent any significant change beyond perhaps a slight change in promotion that is not anticipated to have any adverse affect on the environment.
25	10	Richard Wallis, Chair, Spean Bridge, Roybridge & Achnacarry Community Council, Fern Cottage, Spean Bridge PH34 4EX.		X	X		Requests inclusion of core path new path being developed by Community Co and funded by private benefactor.	Community Council have planning permission and a not-for-profit community company has been set up to manage the project. The project is on target to be completed by February 2010. Criteria scoring identifies the route as a core path. LAF have supported the concept of this development from the beginning. Recommend this be added as a candidate core path.
26	15	David Metcalfe, 9 Brown Terrace, Kinlochleven, PH50 4RF.		X	X		Highlights path from Brown Terrace to bridge over River Leven as most popular path in Kinlochleven.	LAF support this additional core path. Scottish & Southern Energy have no objections although point out that their vehicles and heavy plant use the road to access the Hydro sub station. Recommend adding this as core path.
	16			X		X	Highlights the main access routes to the Pap of Glencoe & Aonach Eagach Ridge	These routes do not score sufficiently highly against the criteria to be included as core paths. Recommend no change to the plan.

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1	17	Mr Robin MacLean, Salachan Farm, Ardgour, by Fort William PH33 7AB	X		X		Object to one detail - candidate core path 403.01b as not safe for horse-riders. Makes recommendations for alternatives.	At a sight meeting it was apparent that there are also privacy issues associated with houses and a recording studio and safety issues associated with machinery and timber storage. LAF gave support on 21 Feb for the removal of 403.01 as well as including additional candidate core paths as recommended by Mr MacLean. On the basis of this Mr Maclean by letter dated 10 June 2008 has withdrawn his objection.
2	9	Peel Ports and Clydeboyd Ltd, 16 Robertson Street, Glasgow G2 8DS Boyd Bros (Haulage) Ltd., The Pier, Annat Point, Corpach, Fort William PH33 7NB	X				Object to candidate core path 407.14a. This is part of a port and transport industrial area and conflicts with existing operations. Public right of way conflicts with all operations creating hazards that put pedestrians and operatives at unnecessary risk. Will prejudice future expansion and investment and have a detrimental affect on current and potential future employment and economic growth. Against the economic interests of the community. The proposal conflicts with health & safety, dock regs and HC's 5 Year Plan.	This route gives access to the Old Ice House (Listed C building) and publicly funded small boat users slipway and is Catalogued Right of Way HL98. As the area is industrial the right of access is limited to the RoW and the foreshore. Planning consents relating to the site have been granted with condition protecting right of way. Previous landowners have acknowledged the existence of the right of way. LAF at meeting on 21 Feb 2008 recommend that this remains a core path. Also recommend that the landowner consider re-locating the small boat owners jetty. Site meeting on 8 May 2008 when AO met with Calum Boyd and Finlay Clark no compromise solution forthcoming. No willingness by site operators to fund relocation of small boat holdes slipway. AO awaits Guidance from Legal Services on this objection.
3	12; 13; 14; 15.	Scotways, 24 Annandale Street, Edinburgh EH7 4AN.		X		X	Within Lochaber the whole of the WHW should be core path to be consistent with Loch Lomond National Park Authority. Scotways email of 6 March 2008 acknowledges the need for consistency across HC plans and withdraws objection with the proviso that their comments on the criteria will be considered in future revisions of the plan.	All the northern sections of WHW do not score high enough against the criteria. The north end has remote and higher altitude sections distinctly different from those further south. Both the Argyll and Lochaber LAF's agree with HC's approach. Scotways email of 6 March 2008 withdraws their objection.

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4	2	Donald Irwin Houston Ardnamurchan Estate, Mingary House, Kilchoan PH36 4LH	X		X		412.05 Mingary Castle. 1) Castle is structurally unsafe. 2) Field is used for livestock including cattle and calves. There would be a cost to the estate in ensuring livestock are not kept in this area. 3) The route follows a private road past estate cottages and despite repeated requests for HC to provide parking facilities and/or to police unauthorised vehicular access nothing has been done. The public are a disturbance to the occupiers of estate properties. Private road considered part of the curtilage of estate cottages. HC in breach of their duty of care promoting the path for reasons above and would increase the potential liability on the part of the owner.	Following a meeting with Mr Houston, Drew Macfarlane-Slack, Ivan Smith and AO at Mingary House on 14 March 2008 a report was submitted to LAF. At meeting of 1 May 2008 members recommended that 412.05 be deleted but also recommend that at the next revision of the Plan it would be reconsidered as a CP if some of the outstanding issues can be addressed. Written acknowledgement is on file that estate will not obstruct members of the public taking responsible access to the Castle. At the suggestion of the estate the Camus na Gaul track which meets the criteria is recommended as an additional core path to assist meet sufficiency targets in Ardnamurchan.
	2		X				412.10a Glendrian. Glendrian Township is a Scheduled Ancient Monument. No attention has been given to protecting the fabric of the buildings arising from increased numbers to the site. Increased numbers will also disrupt stock handling activities. There are no parking facilities leading to obstruction of single-track road. No toilet or litter facilities. In promoting the path HC has a responsibility to provide these. In a letter dated 13 July 2008 Mr Houston states he is prepared to withdraw his objection if HC provide written confirmation they will accept any or all liability which might arise out of damage being done to the Scheduled Monument by the public taking access along the proposed core path. The agreement to adopt said liability will be Registered in the Books of Council and Session.	At the meeting on 14 March 2008 there was an indication that the estate would withdraw this objection if HC could guarantee no increased liability to the estate arising from promotion/information on the core path provided by the Access Authority. The CP Guidance on liability is: "...the access authority may have an element of contributory responsibility over any information it supplies to the public.It will be advisable to have an appropriate risk assessment and inspection procedure, and to routinely check and maintain the accuracy of the core path maps and information. HC cannot be held responsible for any criminal behaviour resulting from CP status. Historic Scotland's response letter of 8 April 2008 to the Draft Lochaber Core Path Plan welcomes "the opportunities it will bring for greater public accessibility to and promotion of cultural heritage sites in the area." Legal Guidance required on a response to the estates demands.

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			Yes	No	Yes	No		
	A; 3		X				401.13 Arivegaig - Ockle. Gorteneorn Forestry Plantation is subject to approved Long Term Forest Plan and there will be considerable use of machinery and heavy vehicles. CP status will disrupt legitimate forestry operations. Singing Sands and surrounding dune system determined by Ministry of Defence to be a "Dangerous Area" due to unexploded munitions. As a result HC in promoting this route would be in gross dereliction of its duty of care. In letter dated 13 July 2008 Mr Houston adds that he is astounded that HC have not attempted to have its status as Right of Way removed. He cannot withdraw his objection unless HC provide written confirmation that they will accept any or all liability which might arise from effectively encouraging access to an area known to have significant number of unexploded munitions in it. The agreement to adopt said liability will be Registered in the Books of Council and Session.	CCP 401.13 follows the forest road through Gorteneorn Forest that will be presumably used for timber extraction. The Guidance recognises that core paths as with other routes may need to be closed from time to time for land management operations and temporary closure information can be distributed to the public. The CP Guidance on liability is: "...the access authority may have an element of contributory responsibility over any information it supplies to the public. It will be advisable to have an appropriate risk assessment and inspection procedure, and to routinely check and maintain the accuracy of the core path maps and information. There needs to be a suitable mechanism to notify users of any significant core path safety issue. Where incidents do arise in relation to signage and promotion, any liability arising from losses or damages will be determined by the usual assessment process for liability." At present the estate have four signs headed "Singing Sands Danger Unexploded Munitions" and that occasionally explosives may be found in the forest/dune or washed up on the beach. Legal Guidance required.

**Draft Core Paths
Plan (Lochaber):
Objections**

Annex 1

Number	Map	Respondee	Valid Objection to the plan.		Requires change to plan		Summary of Comments	Response
			Yes	No	Yes	No		
5	4	Network Rail, Buchanan House, 58 Port Dundas Road, Glasgow G4 0LQ	X			X	Route 404.20 will encourage the use of Arisaig Station level crossing. This will inhibit NR's ability to carry out statutory functions in future. The railway is a dangerous environment; increased use and/or inhibitions on NR's control of the railway environment cannot be accepted.	This route is already regularly used for access to the Kinloids mast and the hills beyond. There is an existing stile at NR's boundary fence. Level crossings are on the land where the statutory undertaker (NR) works are being carried out, so the basic position over the LRSA statutory rights is that these statutory access rights are excluded on a level crossing by the section 6 exclusion. However core path designation would have the effect of applying statutory access rights across the crossing, removing the s.6 exclusions. Relevant here is that sight-lines are good in relation to train speeds making the crossing suitable for core path status. LAF recommendation is that this be retained as a candidate core path.
	8		X		X		410.02. Object if Glenfinnan Station level crossing is to be promoted as CP. Alternatively if sheep creep is to be used the mapping must be a larger scale, especially that made available to the public.	410.02 is the track from the station into the village and does not cross the railway. Agree the mapping made available to the public needs to be at a scale of 1:10,000. Since the draft plan has been drawn up, the Glenfinnan Railway Museum Trust have submitted a planning application to upgrade the path that leads from the Station Museum to "Harry Potter's Viaduct." This route crosses under the railway by the sheep creep adjacent to the station. If funding is secured by the Trust the Local Access Forum are recommending that this route be upgraded from wider access network to candidate core path.
	12			X		X		Objects to WAN from Inverlochty to Tom na Faire as earlier summary of responses recommends removal on the grounds of safety.

**Draft Core Paths
Plan (Lochaber):
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Number	Map	Respondee	Valid Objection to the plan.		Requires change to plan		Summary of Comments	Response
			Yes	No	Yes	No		
	9			X		X	Seeks clarification that usage of the public level crossing at Annat East in accordance with the progress of proposals in the Local Plan and that the Core Path Plan upholds the flexibility that may be required.	Commit to the principle that Highland Council take a consistent approach in both the Local Plan and the CPP. (Note this is a representation by NR rather than an objection.).
	10			X		X	Minor works may be required in future on railway over bridges on route 421.08b resulting in temporary restrictions to use. If in future deemed as no longer required by NR they will initiate discussions to establish HC's interest in taking on responsibility for the structure if it is considered essential to the core path network.	Where a core path is designated across a bridge, this does not create an obligation to retain the bridge in perpetuity beyond its operational life. The provisions (s20 LRSA) for reviewing core paths plans allow for the removal or diversion of core paths, to cover such eventualities. (Note this is a representation by NR rather than an objection.). NR have had a response by letter dated 16 May 2008 to the objections/representations and asked to withdraw their three outstanding objections.
6	4	Mr I MacDonald, Keppoch House Farm, Arisaig, Invernesshire	X			X	404.03a Objects on grounds of security (farm buildings and machinery) and safety (walkers + dogs and livestock).	On further investigation the route is very boggy in places and passes close to farm buildings and machinery in a poor state of repair. LAF recommended on 1 May 2008 the route be changed from CP to WAN. Mr MacDonald advised by letter dated 23 June 2008 that WAN routes will not appear on the approved plan. Following telephone conversation with AO and a visit by Coastal Ranger objection has been withdrawn on the recommendation the route is now WAN.
7	12	Mr EA Cameron, Glen Nevis Holidays, Fort William, PH33 6SX	X			X	Complains early consultation inadequate. 407.04d is a road (private) and unsuitable for walkers and vehicles. Should the route be deemed suitable CP seeks settlement for modification, maintenance and other costs.	LAF Chairman & AO met with Mr Cameron and fellow Director Robert McCreadie on 28 March 2008. Following this, LAF members were asked to consider this representation at their meeting of 1 May 2010. After discussion members made the recommendation that the route 407.04d Youth Hostel Link to WHW be retained as a candidate core path. A letter was sent to Mr Cameron on 6 June 2008 with the consensus of the Forum and an explanation why the route is deemed to be a suitable core path. Mr Cameron in a letter dated 16 June 2008 indicates he does not want to take his objection any further.

**Draft Core Paths
Plan (Lochaber):
Objections**

Annex 1

Number	Map	Respondee	Valid Objection to the plan.		Requires change to plan		Summary of Comments	Response
			Yes	No	Yes	No		
8	5	Tarbet Trust, per ATM Aitchison, Strutt & Parker, 28 Melville street, Edinburgh EH3 7HA	X		X		418.11 Grounds for objection 1) Do not believe the path meets the following criteria: multi-use potential; access to facilities; assists land management; safe & fit for purpose. 2) The Trust has no objection to continued public access so no need for CP designation to ensure continued and unobstructed use. 3) The path is used for agricultural and sporting activities and increased promotion will have a detrimental impact on land management. 4) Increased promotion will lead to increased traffic and have a detrimental impact on land management. 5) Wild toileting at Tarbet will have an adverse affect on residents at Tarbet. 6) The pier at Tarbet is privately owned as is the ferry operator. Increased use of the pier will place an increased maintenance and public liability burden on the Trust. 7) The path bisects a working croft and will increase the level of public liability and interfere with farming activities.	The objections were considered at the LAF meeting on 1 May 2008. Members considered the matter and it was suggested that in this case CP status would be unlikely to lead to significantly increased use. It was agreed to recommend to Access Authority that this be retained as a CP. ATM Aitchison of Strutt & Parker informed of decision by letter dated 5 June 2008. AO has offered to meet with representatives of Tarbet Trust on site but to date this has not been requested. Also advised that if the objection is not withdrawn the matter can be referred to the Government Reporter's Office for a decision.
9	2	D&J Crerar, 29 Great King Street Edinburgh EH3 6QR	X			X	Route shown on CP map will take walkers to Sanna Bheag House. Original path was used by local school children but today visitor numbers in summer are significant. Machair is fragile and visitors are best offered free access across the area.	LAF members considered representation at the meeting of 1 May 2008 and recommended AO discuss matters further with Mr Crerar. Following letters and telephone conversations Mr Crerar remains concerned about the fragile nature of the machair. SNH re-affirmed by email dated 16 June 2008 that as the route was outwith the SSSI they had no objections. Mr Crerar has been advised that under Section 20 LR(S)A 2003 a periodic review of the Plan is required. CP Guidance states: Removals or diversions of CP's can be carried out to repond to new developments. Privacy issues for residents of Sanna Bheag to be addressed by waymarking. Mr Crerar indicated in telephone conversation on 24 July 2008 that he no longer wanted to formally object to the Lochaber Plan and confirmed this by email of the same date.